

REMARKS

In the Board decision decided September 21, 2007, the Board reversed the rejection of claim 9 for anticipation under 35 U.S.C. §102(a) and the rejection of claims 10-12 and 14 under 35 U.S.C. §103(a), but affirmed the rejection of claims 9-12 and 14 for indefiniteness under 35 U.S.C. §112, second paragraph. Thus, all prior art rejections were reversed. In addition, the Board entered new grounds of rejection: claims 9-12 and 14 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement and the enablement requirement. Specifically, the decision stated that the specification "provides no special meaning for the claim term 'free of sputtered metal contaminants.'"

Accordingly, applicants have amended claims 9-12 and 14 herewith to recite that the silicon dioxide layer doped with hydrogen ions deposited by a plasma source ion implantation process has reduced sputtered metal contaminants in comparison with a layer of silicon dioxide doped with ions deposited by a Kauffman ion implantation process. Basis for this amendment may be found in the specification at page 1, lines 12-22, and page 10, lines 6-13. Applicants' amendment is based on the Board's statement (see pages 14-15 of the decision) that the specification does describe a semiconductor device made by "a process that *reduces* the possibility of contamination when compared to the prior art Kaufman ion source implantation technique."

With the above amendments, it is submitted that claims 9-12 and 14 are in compliance with §112, first and second paragraphs. Accordingly, applicants submit that the application is in condition for allowance.

Serial No. 09/605,293
Docket MIO 0037 VA

-7-

Early notification of allowance is respectfully requested.

Respectfully submitted,

DINSMORE & SHOHL LLP

By /Susan M. Luna/
Susan M. Luna
Registration No. 38,769

One Dayton Centre
One South Main Street, Suite 1300
Dayton, Ohio 45402-2023
Telephone: (937) 449-6429
Facsimile: (937) 449-6405
SML/